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Attorney's Docket No.: 42390P6318

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application for:

Susan C. Kromenaker, et al.

Serial No.: 09/408, 918

Filed: September 30, 1999

For: **RETRIEVING I/O PROESSOR
PERFORMANCE MONITOR DATA**

Examiner: Tsai, C.

Art Group: 2857

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RESPONSE TO OFFICE ACTION

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed, May 3, 2002, in connection with the above-referenced patent application, the Applicants respectfully request reconsideration in view of the following remarks.

REMARKS

In response to the above-identified Office Action Applicants seek reconsideration thereof. Applicants do not amend, cancel, or add any new claims. Accordingly, claims 1-3, 5-11, 15 and 22-32 are pending.

I. Claims Rejected Under 35 U.S.C. §112, Second Paragraph

Claim 8 stands rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention.

The Examiner states in Paper No. 6 that the language of claim 8 presents an uncertainty or ambiguity "because it is not sufficient that the members of the group are disclosed in the